IN THE HIGH COURT OF PUNJAB & HARYAN AT CHANDIGARH

R.S.A. No.1888 of 2005
Date of decision: January 12,2007

Gurdial Singh V.Panchayat Samiti Phillaur and others

CORAM: HON'BLE MR.JUSTICE VINEY MITTAL

Present: Shri Ramesh Sharma,Advocate, for the appellant.
Shri Raj Kumar Garg,Advocate, for respondent No.1.

Viney Mittal,J.(Oral)

A suit for declaration and for permanent injunction filed by the plaintiffs that they along with defendants No. 2 to 29 are the co-sharers of the suit land, was decreed by the trial court. However, on an appeal filed by defendant No.1 Panchayat Samiti, the appellate Court has found it as a fact that order dated August 11,1994 passed by the District Development and Panchayat Officer has been set aside by the Commissioner, Jalandhar and the case has been remanded back for fresh decision. Thereafter, the order dated August 11,2004 could not be treated to be subsisted. Consequently, the claim made by the plaintiffs on the basis of the aforesaid order has rightly been rejected by the appellate Court.

Nothing has been shown that the findings recorded by the appellate Court suffer from any infirmity or are contrary to the record.

No question of law, much less any substantial question of law, arises in the present appeal.

Dismissed.

January 12,2007 (Viney Mittal)
sks Judge